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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 MARTIN FRUTOS, JR.,

10 Plaintiff,

No. CIV S-04-2361 ALA P

11 vs.

12 CALIFORNIA DEPARTMENT OF  
13 CORRECTIONS, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff is a prisoner without counsel seeking relief for alleged civil rights violations.  
17 *See* 42 U.S.C. § 1983. Plaintiff has requested a second extension of time to file and serve an  
18 opposition to defendants' April 26, 2007 motion to dismiss. *See* Fed. R. Civ. P. 6(b).

19 Plaintiff's June 22, 2007 request is granted. He has demonstrated excusable neglect  
20 based on the limited access to the prison law library. Plaintiff shall file and serve an opposition  
21 to defendants' April 26, 2007 motion to dismiss on or before August 24, 2007. The court does  
22 not intend to grant additional requests for extensions of time.

23 So ordered.

24 DATED: July 24, 2007

25 /s/ Arthur Alarcón

26 \_\_\_\_\_  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation